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Attorneys for Defendant

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CARL A. COMBS)	
)	
Plaintiff,)	Case No. 3:08-cv-01728-MEJ
)	
v.)	STIPULATION AND ORDER
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social)	
Security,)	
)	
Defendant.)	

Plaintiff and Defendant, through their respective attorneys, hereby stipulate that Defendant shall have an extension of time of thirty (30) days up through and including Monday, January 3, 2010 in which to file his Opposition to Plaintiff's Motion for an Award of Attorney's Fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(d). Defendant seeks this extension to consider the possibility of settlement in this matter. This extension is necessitated as a result of an injury, requiring unanticipated medical leave, suffered by the undersigned attorney and the reassignment of a large number of cases in the Office of the Regional Chief Counsel, due to the departure of several senior

attorneys, and a concomitant increase in the workload of the undersigned attorney.

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

Dated: December 3, 2010

By: /s/ Susan L. Smith
SUSAN L. SMITH
Special Assistant U.S. Attorney

Dated: December 3, 2010

/s/ Bess M. Brewer
(via e-mail authorization)
Attorney for Plaintiff

IT IS SO ORDERED.

Dated: December 6, 2010



HON. MARIA-ELENA JAMES
United States Magistrate Judge

CERTIFICATE OF SERVICE

I, hereby, certify that on December 3, 2010, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by that system.

Executed on December 3, 2010 in San Francisco, California.

/s/ Susan L. Smith
SUSAN L. SMITH
Special Assistant U.S. Attorney
Office of the Regional Chief Counsel
Social Security Administration
Attorney for Defendant